

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LARRY N. JORDAN,
Plaintiff,

v.

YUM BRANDS, INC., and,
PIZZA HUT OF AMERICA, INC.,
Defendants.

:
:
:
:
:
:
:
:

CIVIL ACTION

NO. 10-5458

ORDER

AND NOW, this 24th day of July, 2013, upon consideration of Defendants' Motion to Preclude Plaintiff's Putative Expert Witness David A. Gordon from Testifying at Trial (Doc. No. 28, filed January 11, 2013), Plaintiff's Response to Defendant's Motion to Preclude Plaintiff's Putative Expert Witness David A. Gordon from Testifying at Trial (Doc. No. 29, filed January 24, 2013), Defendants' Reply to Plaintiff's Response to Defendants' Motion to Preclude Plaintiff's Putative Expert Witness David A. Gordon from Testifying at Trial (Doc. No. 35, filed February 28, 2013), Defendants' Motion for Summary Judgment (Doc. No. 27, filed January 10, 2013), Plaintiff's Response to Defendants' Motion for Summary Judgment (Doc. No. 32, filed February 1, 2013), Plaintiff's Memorandum of Law in Support of Plaintiff's Response to Defendants' Motion for Summary Judgment (Doc. No. 34, filed February 14, 2013), and Defendants' Reply to Plaintiff's Response to Defendants' Motion for Summary Judgment (Doc. No. 36, filed February 28, 2013), for the reasons set forth in the Memorandum dated July 24, 2013, **IT IS ORDERED** as follows:

1. Defendants' Motion to Preclude Plaintiff's Putative Expert Witness David A. Gordon from Testifying at Trial (Doc. No. 28, filed January 11, 2013) is **GRANTED**; and
2. Defendants' Motion for Summary Judgment (Doc. No. 27, filed January 10, 2013) is

DENIED.

IT IS FURTHER ORDERED that plaintiff shall file a response to Defendants' Motion in Limine to Preclude Plaintiff from Introducing Any Evidence at Trial Regarding His Alleged Damages for the Cost of Medical Treatment Other Than the Amount of Medical Bills that was Actually Paid or that Remains Due and Owing (Doc. No. 39, filed May 7, 2013) on or before August 9, 2013. Two (2) copies of the response shall be served on the Court (Chambers, Room 12613) when the original is filed.

IT IS FURTHER ORDERED that a sixth amended scheduling order will be issued in due course.

BY THE COURT:

/s/ Hon. Jan E. Dubois
DuBOIS, JAN E., J.